

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA

v.

JOHN MILLER

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**No. 3:08-CR-99
(Phillips)**

MEMORANDUM AND ORDER

This matter is before the court on the defendant's *pro se* motion for early termination of supervised release [Doc. 34]. In support of the motion, defendant states that he has completed his period of incarceration, and has completed two years of the three-year term of supervised release ordered by the court. In addition, defendant states that he has complied with all the conditions of his supervision, including negative drug screens, and maintaining employment.

Defendant pled guilty to conspiracy to distribute marijuana. On April 5, 2010, the defendant was sentenced to 26 months imprisonment, followed by three years of supervised release. Defendant completed his term of imprisonment and was released to supervision on January 7, 2011. The court has been informed that the probation office has no objections to the early termination of defendant's supervised release. The government has informed the court that it likewise has no objections to defendant's motion.

Defendant moves for early termination of supervised release pursuant to 18

U.S.C. § 3583(e) which provides:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4) (a)(5), (a)(6), and (a)(7) –

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

18 U.S.C. § 3583(e)(1).

After carefully considering the requirements of the statute, the court finds that the relevant portions of 18 U.S.C. § 3553(a) support an early termination of defendant's supervised release. In support of this determination, the court notes that defendant has completed more than one year of his term of supervised release and that defendant is in compliance with the conditions of his release. The court also notes that defendant has maintained employment since his release from incarceration. Accordingly, because the requirements of 18 U.S.C. § 3583(e)(1) have been satisfied and in light of the lack of objection by the probation officer and the government, the court finds defendant's motion for early termination of supervised release is well-taken, and it is hereby **GRANTED**. The defendant's term of supervised release is **TERMINATED**.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge